

REMARKS

The Response dated August 5, 2004, is hereby resubmitted to reformat the previous presentation of the replacement of the paragraph on page 5 of the specification.

The descriptions of the elements of claims 1, 3 and 7 are consolidated above. Because only consolidated, no new description is added and, therefore, the description of no element is narrowed so as to invoke any present Festo-like decision. The descriptions of claims 2 and 6 are made consistent with claim 1 for the same effect. The amendments of claims 9 and 10 and new claims merely restore original claim dependencies.

The objection to the specification is attended to by paragraph replacement above.

The claimed distinctions of the invention may be more fully appreciated from the attached copy of the inventor's (and another's) conference presentation "EM CANCER DETECTION BY MEANS OF NON-LINEAR RESONANCE INTERACTION," *Proceedings of PIERS2004*, Progress in Electromagnetics Research Symposium, Pisa, Italy, March 28-31, 2004, pp 909-912.

The rejection of independent claims 1 and 6 under 35 USC 102 for anticipation by the cited Arjavalinagam publication is traversed because the coherent-microwave spectroscopy of coherent radiation it describes makes use of pulse transients from 15 to 130 Ghz. The system functions with the specimen to be tested between a receiving antenna and a transmitting antenna for measuring the complex permittivity of the specimen. The claimed invention operates on plural (e.g., 3 or 4) frequencies that are much lower (i.e., merely radio frequencies) and not high-end radio frequencies (i.e., micorwaves) of the publication. These lower frequencies are all, i.e., simultaneously, in the claimed invention (for harmonic relation with one another) and not pulsed transients as in the publication. An effect of these

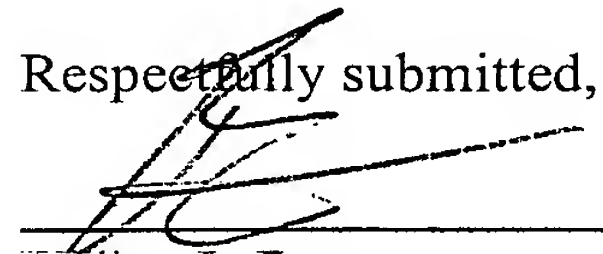
differences is that, as described in the specification, the specimen is usually set in the sequence: specimen transmitter receiver (transceiver) and not between transmitting and receiving antenna as in the publication. Only in certain particular cases, namely when the electromagnetic shadow of some materials is to be exploited, is the sequence: transmitter specimen receiver but, in any case, the receiver is always outside the near field.

The rejection of independent claims 1 and 6 under 35 USC 102 for anticipation by the cited Rebertson publication is similarly traversed for reliance on microwave transients of pulsed antennas as described in its Abstract and not plural (i.e., simultaneous) radio frequencies, as claimed.

The plural frequencies distinction of independent claims 1 and 6 permit the allowance of the dependent claims as well.

Reconsideration and allowance are, therefore, requested.

Respectfully submitted,



William R. Evans
c/o Ladas & Parry LLP
26 West 61st Street
New York, New York 10023
Reg. No. 25858
Tel. No. (212) 708-1930